#### C-3407/1/US

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# MPAHO

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PLICANTS: Gao, Ping et al.

DOCKET NO.:

C-3407/1/US

SERIAL NO.:

10/047,222

GROUP ART UNIT:

1614

FILED:

January 15, 2002

**EXAMINER:** 

Unknown

TITLE:

PHARMACEUTICAL COMPOSITION HAVING REDUCED

TENDENCY FOR DRUG CRYSTALLIZATION

DATE:

June 7, 2002

#### **CERTIFICATE OF MAILING**

I hereby certify that this Response to Notice to File Missing Parts and recited enclosures are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, DC 20231 on June 7, 2002

Assistant Commissioner for Patents Box Missing Parts Washington, DC 20231

Sir:

#### RESPONSE TO NOTICE TO FILE MISSING PARTS

Applicants received a Notice to File Missing Parts of Nonprovisional Application, dated February 19, 2002, indicating that an oath or declaration must be furnished. Applicants enclose herewith a fully executed Declaration and Power of Attorney. All required parts of the subject application have now been submitted in accordance with 35 U.S.C. §111(a).

Also enclosed herewith is a fully executed Assignment accompanied by two copies of Recordation Form Cover Sheet (Form PTO-1595).

This response is made on June 7, 2002, which is not within the two month period set for response. Petition is hereby made for an extension of time of two months within which to respond to the Notice to File Missing Parts.

Please charge the following fees to Deposit Account No. 19-1025:

- (1) \$130.00 or the sum required under 37 C.F.R. §1.16(e) for filing the oath or declaration on a date later than the filing date of the application;
- (2) \$400.00 or the sum required under 37 C.F.R. §1.17(a)(1) as the extension

1

fee for filing within the first two months after the due date for the present response; and

James C Lorbes

(3) \$40.00 or the sum required under 37 C.F.R. §1.21(h) for recordation of assignment (one property).

Respectfully submitted,

James C. Forbes

Agent for Applicants Registration No. 39,457 Tel. (847) 581-6090

#### Address correspondence to:

Pharmacia Corporation Corporate Patent Department 800 N. Lindbergh Boulevard – O4E. St Louis, MO 63167

#### **Enclosures**

Fee Transmittal Form
Declaration and Power of Attorney
Copy of Notice to File Missing Parts of Nonprovisional Application
Form PTO-1595 (2 copies)
Assignment

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\$570.00

PTO/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
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## FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** 

Complete if Known					
Application Number	10/047,222				
Filing Date	January 15, 2002				
First Named Inventor	Ping Gao				
Examiner Name	Unknown				
Group Art Unit	1614				
Attorney Docket No.	C-3407/1/US				

METHOD OF PAYMENT		FEE CALCULATION (continued)								
	r is hereby authorized to charge			IONA		ES				
indicated fees and credit any overpayments to:		Large I Fee	Entity Fee	Small Fee	Entity Fee					
Account Number	19-1025	Code	(\$)	Code	(\$)	Fee Description	Fee Paid			
Deposit		105	130	205		Surcharge - late filing fee or oath	130.00			
	macia Corporation	127	50	227		Surcharge - late provisional filing fee or cover sheet				
Charge Any Additional Under 37 CFR §§ 1.1		139	130	139		Non - English specification				
Under 37 CFR §§ 1.16 and 1.17			•			For filing a request for ex parte reexamination				
Applicant claims small entity status. See 37 CFR § 1.27		112	920°	112		Requesting publication of SIR prior to Examiner action				
2. Payment Enclosed:		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action				
Check Cred	lit card Money Other Other	115	110	215	55	Extension for reply within first month				
FEE CAI	LCULATION	116	390	216	195	Extension for reply within second month	400.00			
1. BASIC FILING FE	E	117	890	217	445	Extension for reply within third month				
Large Entity Small Entity	,	118	1,390	218	695	Extension for reply within fourth month				
Fee Fee Fee Fee F Code (\$) Code (\$)	ee Description Fee Paid	128	1,890	228	945	Extension for reply within fifth month				
101 710 201 355 Util	lity filing fee	119	310	219	155	Notice of Appeal				
106 320 206 160 Des	sign filing fee	120	310	220	155	Filing a brief in support of an appeal				
107 490 207 245 Pla	ant filing fee	121	270	221	135	Request for oral hearing				
108 710 208 355 Rei	issue filing fee	138	1,510	138	1,510	Petition to institute a public use proceeding				
114 150 214 75 Pro	ovisional filing fee	140	110	240	55	Petition to revive - unavoidable				
SUBT	TOTAL (1)	141	1,240	241	620	Petition to revive - unintentional				
A FYTDA CLAIM FF	·re	142	1,240	242	620	Utility issue fee (or reissue)				
2. EXTRA CLAIM FE	Fee from	143	440	243	220	Design issue fee				
Extra Clair		144	600	244	300	Plant issue fee				
Total Claims	0 X = 0.00	122	130	122	130	Petitions to the Commissioner				
Claims Multiple Dependent		123	50	123	50	Processing fee under 37 CFR § 1.17(q)				
Large Entity Small Entity		126	180	126	180	Submission of Information Disclosure Statement				
Fee Fee Fee Fee Code (\$) Code (\$)	Fee Description	581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00			
	Claims in excess of 20 ndependent claims in excess of 3	146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))				
	fultiple dependent claim, if not paid	149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))				
109 80 209 40 **	Reissue independent claims	179	710	279	355	Request for Continued Examination (RCE)				
over original patent		169	900	169	900	Request for expedited examination				
110 18 210 9 ** Reissue claims in excess of 20 and over original patent		Oth	of a design application Other fee (specify)							
SUBTO	OTAL (2) \$0.00									
**or number previously paid, if greater; For Reissues, see above Reduced by Basic Filing Fee Paid SUBTOTAL (3) \$570.00										

SUBMITTED BY		Complete (if applicable)			
Name (Pnnt/Type)	James C. Forbes	Registration No. (Attorney/Agent)	39,457	Telephone	847-581-6090
Signature	James C Forbe	,		Date	6/7/02

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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APPLICATION NUMBER. FLOG PESEIPT DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NUMBER

10/047,222

0 01/15/2002 JUN 1 4 2002 S

Ping Gao

C-3407/1/US

**CONFIRMATION NO. 5749** 

FORMALITIES LETTER

000000007494297\*

Pharmacia Corporation
Patent Department

800 N. Lindbergh Boulevard-04E St. Louis, MO 63167

Date Mailed: 02/19/2002

#### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

#### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
   A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/19/2002 MARMED1 00000052 191025 10047228

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